

Union Officers' Superannuation (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

CLAUSES.

1. Short title.
2. Grant of superannuation.
3. Allowance in cases of bodily injury.
4. Local Government Board may reduce any pension.
5. Allowances not to be assignable.
6. Discontinuance of pension in certain cases.
7. Provision for cases of professional qualification.
8. Rules.
9. Payment of pensions, and provision of funds.
10. Interpretation.
11. Repeal.

SCHEDULE.

A

B I L L

TO

Make better provision for the Superannuation of the Officers of Poor Law Unions in Ireland. A.D. 1883.

BE, it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

- 5 1. This Act may be cited as the Union Officers' Superannuation (Ireland) Act, 1883. Sheet title.

2. *From and after the passing of this Act*, the board of guardians of every union in Ireland shall, with the sanction of the Local Government Board for Ireland (in this Act called "the Local Government Board"), grant to any union officer belonging to that union who shall become incapable of discharging the duties of his office with efficiency, by reason of permanent infirmity of mind or body, or of old age, upon his resigning or otherwise ceasing to hold his office, a superannuation allowance, according to the following scale; that is to say, Grant of superannuation.
- 10 2. *From and after the passing of this Act*, the board of guardians of every union in Ireland shall, with the sanction of the Local Government Board for Ireland (in this Act called "the Local Government Board"), grant to any union officer belonging to that union who shall become incapable of discharging the duties of his office with efficiency, by reason of permanent infirmity of mind or body, or of old age, upon his resigning or otherwise ceasing to hold his office, a superannuation allowance, according to the
- 15 following scale; that is to say,

- To any officer who shall have served in some one or more unions in Ireland for ten years and upwards, and under eleven years, an annual allowance of *ten sixtieths* of the annual salary and emoluments of his office:
- 20 For eleven years and under twelve years, an annual allowance of *eleven sixtieths* of such salary and emoluments:
- And in like manner a further addition to the annual allowance, of *one sixtieth* of such annual salary and emoluments in respect of each additional year of such service, until the completion
- 25 of a period of service of forty years, when an annual allowance of *forty sixtieths* shall be granted, and no addition shall be made in respect of any service beyond forty years:

[Bill 132.]

A

A.D. 1883.

No officer shall be entitled to such allowance on the ground of age who shall not have completed the full age of *sixty years*, and shall not have served as a union officer in some one or more unions in Ireland for *twenty years* at the least.

For the purposes of this section, the annual salary and emoluments of a union officer shall be calculated on the average of the three years ending with the quarter-day next before he ceases to hold his office.

No officer shall be entitled to any superannuation allowance or gratuity under this Act, unless the Local Government Board are satisfied that he has discharged his duties as a union officer with diligence and fidelity.

Allowance
in cases of
bodily
injury.

3. The board of guardians of any union, with the sanction of the Local Government Board, may, if they think fit, grant to any person, being the holder of a union office in the union in respect of which a superannuation allowance might be granted under this Act, who, before the completion of the period which would have entitled him to a superannuation allowance, is compelled to quit the service of the union by reason of severe bodily injury occasioned, without his own default, in the discharge of his duty as a union officer, a gratuity not exceeding *three months* pay for every *two years* service, or a superannuation allowance not exceeding *ten sixtieths* of the annual salary and emoluments of his office; and may, if they think fit, with the like sanction, grant to any such holder of a union office who is compelled from infirmity of mind or body to leave the union service before the completion of the period which would have entitled him to a superannuation allowance, such sum of money as the board may think proper, but so that no such gratuity shall exceed the amount of one month's pay for each year of service.

Local
Government
Board may
refuse any
pension.

4. Whenever an application is made to the Local Government Board to sanction the grant to any union officer by a board of guardians of a superannuation allowance or gratuity under this Act, it shall be lawful for the Local Government Board either to sanction or to refuse to sanction such grant, or to sanction the grant of a superannuation allowance or gratuity to such officer of such less amount than otherwise would have been awarded to him as the Local Government Board may determine, where the defaults or demerit of such officer in relation to the union service appear to them to justify such diminution.

Allowances
not to be
assignable.

5. Every superannuation allowance or gratuity granted under this Act shall be payable to or in trust for the union officer, and shall not be assignable nor chargeable with his debts or other liabilities.

6. In case any person enjoying any superannuation allowance under this Act is appointed to be a union officer in any union, every such allowance shall cease to be paid so long as he continues to hold such appointment, if the annual amount of the profits of the office to which he is appointed are equal to those of the office formerly held by him, and in case they are not equal to those of his former office, then no more of such superannuation allowance shall be paid him than with the salary of his new appointment shall be equal to that of his former office.

A.D. 1833.
Discontin-
uance of
pension in
certain cases.

7. The Local Government Board may from time to time, by order, declare that for the due and efficient discharge of the duties of any union office or class of offices to be specified in such order, professional or other peculiar qualifications are required; and that it is for the interest of the public that persons should be appointed thereto at an age exceeding that at which public service ordinarily begins; and may, by the same or any other order, direct that when any person holding any such office shall retire from the union service, a number of years not exceeding *ten*, to be specified in the order, shall, in computing the amount of the superannuation allowance which may be granted to him under this Act, be added to the number of years during which he may have actually served.

Provision
for cases of
professional
qualification.

8. The Local Government Board may from time to time make rules with reference to the mode in which a union officer shall establish what his age is, and establish that he has discharged his duties with diligence and fidelity, and with respect to any other conditions the fulfilment of which the Board may require to be proved; and in the case of an officer retiring on the ground of infirmity of mind or body, if the Board by any such rules require the officer to appear for examination before a medical board, or before a medical practitioner nominated by the Local Government Board, the Local Government Board may defray the expenses of such examination out of the superannuation fund provided by this Act.

Rules.

9. All allowances and gratuities payable under this Act shall be advanced from time to time by the board of guardians of the union in which the officer was serving at the time of his ceasing to be a union officer, and shall be repaid to the board of guardians out of the union officers' superannuation fund.

Payment
of pensions,
and pro-
vision of
funds.

For the purpose of providing for such repayments, the following enactments shall take effect:

(1.) On or as soon as conveniently may be after the *first day of January* in every year after the passing of this Act, the Local

[132.]

A 2

A.D. 1883.

Government Board shall estimate what sum will be necessary for the purposes of this Act during the year.

In making the first of such estimates under this Act, the Local Government Board shall estimate what sum will be necessary for the purposes of this Act during the whole of the 5 period between the passing of this Act and the *first day of January* next following the making of the estimate.

The Local Government Board shall in each year, by order under their seal, assess that sum on the several unions in proportion to the net annual value of the property therein. They 10 shall send copies of the order to the guardians and to the treasurer of each union.

- (2.) Thereupon the treasurer shall, if he has then in his hands to the credit of the guardians sufficient funds, pay the amount so assessed into the Bank of Ireland, and if he has in his 15 hands to the credit of the guardians funds not sufficient for payment in full of the amount so assessed, he shall pay into the Bank of Ireland such balance as he may have in his hands in reduction of the amount so assessed; and in such case, or if he has no funds in his hands to the credit of the guardians, 20 then he shall out of all moneys subsequently received by him on account of the guardians pay the amount assessed into the Bank of Ireland. Moneys paid into the Bank of Ireland under this Act shall be placed to the credit of the Local Government Board, to the account of a fund which shall be called 25 the Union Officers Superannuation Fund.

The guardians of each union shall debit the several electoral divisions with proportions of the sum assessed upon the union, according to the net annual value of the property in each 30 division.

- (3.) On the *twenty-fifth day of March one thousand eight hundred and eighty-four* and on every *twenty-ninth day of September and twenty-fifth day of March* following the guardians of each union shall furnish to the Local Government Board accounts of the moneys expended by them for superan- 35 nuation allowances and gratuities payable under this Act since the date of the last preceding account, or, in the case of the accounts furnished on the *twenty-fifth day of March one thousand eight hundred and eighty-four*, since the date of the passing of this Act; and the Local Government Board shall 40 pay to the treasurer of the union, out of the union officers superannuation fund, the amount mentioned in the account furnished by the board of guardians of the union when such amount has been found to be correct.

10. In this Act the term "union officer" includes every person appointed by the board of guardians of any union to be a permanent officer of the union under the provisions of the thirty-first section of the Act of the session of Parliament of the first and

A.D. 1883.
Interpre-
tation.

- 5 second years of the reign of Her present Majesty, chapter fifty-six, and the fourth section of the Act of the session of Parliament of the tenth year of the reign of Her present Majesty, chapter thirty-one, whether such officer is paid by wages, poundage, or percentage on collection of rates, or by a salary; and also every
- 10 chaplain of a union, and every medical or surgical officer of a union, or of any dispensary district therein; and every person appointed or constituted as sanitary officer under the eleventh section of the Public Health (Ireland) Act, 1878, or clerk to the
- 15 burial board of any district where such burial board is a board of guardians, or clerk to the local authority acting in execution of the Contagious Diseases (Animals) Act, 1878, where such person has
- 41 & 42 Vict.
c. 52.
- 41 & 42 Vict.
c. 74.
- 20 been so appointed by a board of guardians, or holds his office as a sanitary officer or clerk of the burial board or clerk of the said local authority by virtue of any other office to which he has been appointed by a board of guardians; and also the registrar of births, deaths, and marriages in every union, and the superintendent registrar, being also the clerk of the union.

The term "emoluments" includes all fees, poundage, and other payments made to a union officer for his own use, as such union officer, out of poor rate or sanitary rate or money voted by

25 Parliament; and also the money value of rations, apartments, and other remuneration appertaining to the office held by such union officer, estimated according to such scale or in such manner as the Local Government Board shall prescribe.

- 30 11. The Acts specified in the schedule to this Act are hereby repealed, so far as they relate to the superannuation of any officer who retires from his office after the passing of this Act.

Repeal.

This repeal shall not affect the powers of the board of guardians of any union with reference to the granting of a superannuation allowance under any of the said Acts to an officer

35 who has retired from his office before the passing of this Act; nor anything duly done or suffered, nor any right or liability acquired, accrued, or incurred, under any enactment hereby repealed; and shall not relieve the board of guardians of any union from the

40 obligation to pay any superannuation allowance granted by them under any of the said Acts.

A.D. 1883.

SCHEDULE (referred to in Section 11).

Session and Chapter.	Title or Short Title.
28 & 29 Vict. c. 26.	An Act to provide for superannuation allowances to officers of unions in Ireland.
32 & 33 Vict. c. 50.	The Medical Officers Superannuation Act (Ireland), 1869. 5
35 & 36 Vict. c. 89.	An Act to amend the Act providing superannuation allowances to officers of unions in Ireland.